

Notice of Allowability

Application No.

10/597,055

Applicant(s)

SAUNIER, ANDRE

Examiner

Art Unit

Sean Kayes

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/10/2006.
2. ☒ The allowed claim(s) is/are 10-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>7/10/2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or suggest the claimed "a first and a second control member which are arranged on either side of the time-setting stem", "which have an angular shift of less than 90 degrees with the time-setting stem in relation to the centre of the movement", and "first and a second push-button arranged ... wherein there is an angular shift greater than 90 degrees in relation to the centre of the movement" in combination with the remaining claim elements as set forth in claim 10.

2. Handley (US 2004280) teaches a watch with two push buttons located greater than 90 degrees from the center relative to the control stem. Handley additionally teaches said push buttons acting on two control members, which barely extend into the regime defined to be less than 90 degree between the center of the movement and the control stem. Handley does not teach "a first and a second control member which are arranged on either side of the time-setting stem" as claimed in claim 10.

3. Stodden (US 4396296) teaches four pushbuttons, two of which are located opposite a control stem such that the angle defined between said pushbuttons and the control stem is greater than 90, relative to the center of the movement. Stodden does not teach "a first and a second control member which are arranged on either side of the time-setting stem and which have an angular shift of less than 90 degrees with the time-setting stem in relation to the centre of the movement" as claimed in claim 10.

4. Jeanmonod (US 3759033) teaches two push buttons acting on two control members, wherein the control members are within 90 degree of a control stem relative to the center of the movement. The push buttons extend beyond 90 degree relative to the center of the casing and the control stem. The push buttons do not extend beyond 90 degrees relative to the center of the movement.

5. Stemmler (US 3633354) teaches two pushbuttons located greater than 90 degrees from a control stem relative to the center. Said push buttons act on teeth of a time zone dial. At any given time some of the teeth are located within 90 degrees of the control stem. Stemmler does not teach "wherein said actuation device further includes a transmission mechanism extending between said first push-button and said first control member, on the one hand, and between said second push-button and said second control member on the other hand" wherein the control member is located within "90 degrees with the time-setting stem in relation to the centre of the movement" as claimed in claim 10.

6. Tesch (US 4364674) teaches two pushbuttons and two actuation members located within 90 degree of the control stem relative to the center. Tesch does not teach "first and a second push-button arranged ... wherein there is an angular shift greater than 90 degrees in relation to the centre of the movement" as claimed in claim 10.

7. Muto (US 4623261) teaches a chronograph with two pushbuttons located greater than 90 degree from the control stem relative to center. Muto does not teach "a first and a second control member which are arranged on either side of the time-setting stem and which have an angular shift of less than 90 degrees with the time-setting stem in relation to the centre of the movement" as claimed in claim 10.

8. Guilden (US 2456122) teaches two pushbuttons utilizing a pivot mechanism. Guilden does not teach "a first and a second control member which are arranged on either side of the time-setting stem and which have an angular shift of less than 90 degrees with the time-setting stem in relation to the centre of the movement" as claimed in claim 10.

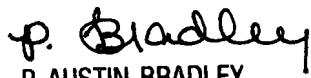
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley Paula can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK
11/27/2007


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